

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

(1) MANUEL E. PINALES,
(2) JOSE ANTONIO CRUZ,
a/k/a "Eduardo LNU"
(3) LUIS R. CLAS,
a/k/a "Cuba"
(4) RICHARD PENA, and
(5) TAJH M. WHITE

Criminal No. 04-10314-RCL

VIOLATIONS:

21 U.S.C. § 846
Conspiracy to Distribute Cocaine
21 U.S.C. §§ 841 (a)(1)
Distribution of Cocaine and Possession with
Intent to Distribute
18 U.S.C. § 2
Aiding and Abetting

INDICTMENT

COUNT ONE: (21 U.S.C. § 846 -- Conspiracy To Distribute Cocaine)

The Grand Jury charges that:

From in or about June 2004, and continuing thereafter until on or about October 6, 2004,
the date of this Indictment, at Boston, Fall River, New Bedford and elsewhere in the District of
Massachusetts, and elsewhere

(1) MANUEL E. PINALES,
(2) JOSE ANTONIO CRUZ a/k/a "Eduardo LNU,"
(3) LUIS R. CLAS a/k/a "Cuba,"
(4) RICHARD PENA, and
(5) TAJH M. WHITE

defendants herein, did knowingly and intentionally conspire, combine, confederate and agree
with each other and with persons known and unknown to the Grand Jury, to possess with intent
to distribute, and to distribute, cocaine, a Schedule II controlled substance, in violation of Title

21, United States Code, Section 841(a)(1).

It is further alleged that the conspiracy described herein involved five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, in violation of Title 21, United States Code, Section 841(b)(1)(A)(ii) applies to this count.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO: (21 U.S.C. § 841(a)(1)--Distribution of Cocaine; 18 U.S.C. § 2--Aiding and Abetting)

The Grand Jury further charges that:

On or about September 27, 2004, at Boston, in the District of Massachusetts,

**(1) MANUEL E. PINALES and
(3) LUIS R. CLAS a/k/a "Cuba"**

defendants herein, knowingly and intentionally did possess with intent to distribute and did distribute cocaine, a Schedule II controlled substance.

It is further alleged that the offense described herein involved five hundred (500) grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(ii) applies to this Count.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

**COUNT THREE: (21 U.S.C. § 841(a)(1)—Possession with Intent to Distribute Cocaine;
18 U.S.C. § 2—Aiding and Abetting)**

The Grand Jury further charges that:

On or about September 27, 2004, at Boston, in the District of Massachusetts,

(5) TAJH M. WHITE

defendant herein, knowingly and intentionally did possess with intent to distribute and did distribute cocaine, a Schedule II controlled substance.

It is further alleged that the offense described herein involved five hundred (500) grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(ii) applies to this Count.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT FOUR: **(21 U.S.C. § 841(a)(1)—Distribution of Cocaine; 18 U.S.C. § 2—Aiding and Abetting)**

The Grand Jury further charges that:

On or about September 29, 2004, at Boston, in the District of Massachusetts,

**(1) MANUEL E. PINALES and
(3) LUIS R. CLAS a/k/a “Cuba”**

defendants herein, knowingly and intentionally did possess with intent to distribute and did distribute cocaine, a Schedule II controlled substance.

It is further alleged that the offense described herein involved five hundred (500) grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(ii) applies to this Count.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION
(21 U.S.C. § 853)

The Grand Jury further charges that:

1. As a result of the narcotics offenses alleged in Counts One through Four of this Indictment,

(1) **MANUEL E. PINALES,**
(2) **JOSE ANTONIO CRUZ a/k/a "Eduardo LNU,"**
(3) **LUIS R. CLAS a/k/a "Cuba,"**
(4) **RICHARD PENA, and**
(5) **TAJH M. WHITE**

defendants herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations.

2. If any of the property described in paragraph 1, above, as a result of any act or omission of the defendants --

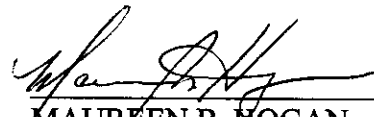
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in paragraph 1.

All in violation of Title 18, United States Code, Section 853.

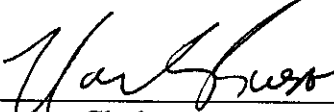
A TRUE BILL,


FOREPERSON OF THE GRAND JURY


MAUREEN B. HOGAN
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS: October 6, 2004

Returned into the District Court by the Grand Jurors and filed.


Deputy Clerk 2:07 pm

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. II Investigating Agency DEACity Boston Related Case Information:County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Tajh M. White Juvenile ☐ Yes ☒ No

Alias Name _____

Address UnknownBirth date (Year only): 76 SSN (last 4 #): 9376 Sex M Race: _____ Nationality: _____

Defense Counsel if known: _____ Address: _____

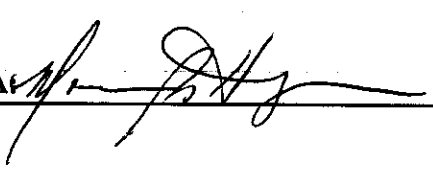
Bar Number: _____

U.S. Attorney Information:AUSA Maureen B. Hogan Bar Number if applicable _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be Requested ☐ No☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date: _____

☐ Already in Federal Custody as _____ in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☐ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: October 6, 2004Signature of AUSA: 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Tajh M. White

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 841</u>	<u>Possession with Intent to Distribute Cocaine</u>	<u>Three</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. II Investigating Agency DEACity Boston Related Case Information:County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Richard Pena Juvenile ☐ Yes ☒ No

Alias Name _____

Address 7 Knight Street, Apt. 2R, Hyde Park, MABirth date (Year only): 48 SSN (last 4 #): 4363 Sex M Race: Hipsanic Nationality: Dominican

Defense Counsel if known: _____ Address: _____

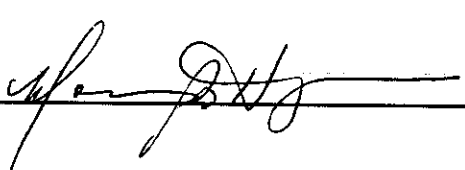
Bar Number: _____

U.S. Attorney Information:AUSA Maureen B. Hogan Bar Number if applicable _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEAL ☐ No☐ Regular Process ☐ In Custody**Location Status:**

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JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Richard Pena

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 846</u>	<u>Conspiracy to Distribute Cocaine</u>	<u>One</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. II Investigating Agency DEA

City Boston Related Case Information:

County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name Luis R. Clas Juvenile ☐ Yes ☒ No

Alias Name Cuba

Address 115 Navarre Street, Floor 2, Hyde Park, MA

Birth date (Year only): 47 SSN (last 4 #): 6636 Sex M Race: Hipsanic Nationality: _____

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:

AUSA Maureen B. Hogan Bar Number if applicable _____

Interpreter: ☒ Yes ☐ No List language and/or dialect: Spanish

Matter to be STAYED ☐ No

Warrant Requested ☐ Regular Process ☐ In Custody

Location Status:

Arrest Date: _____

☐ Already in Federal Custody as _____ in _____

☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Release: Ordered by _____ on _____

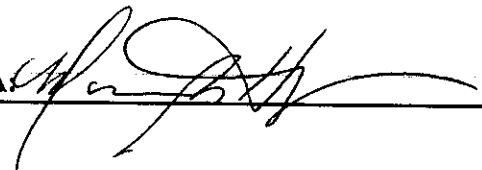
Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☐ Felony 3

Continue on Page 2 for Entry of U.S.C. Citations

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Date: October 6, 2004

Signature of AUSA: 

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District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Luis R. Clas

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 846</u>	<u>Conspiracy to Distribute Cocaine</u>	<u>One</u>
Set 2	<u>18 U.S.C. § 841</u>	<u>Distribution of Cocaine</u>	<u>Two and Four</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

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Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. II Investigating Agency DEACity Boston Related Case Information:County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Jose Antonio Cruz Juvenile ☐ Yes ☒ NoAlias Name EduardoAddress Bronx, NYBirth date (Year only): 74 SSN (last 4 #): _____ Sex M Race: Hipsanic Nationality: Dominican

Defense Counsel if known: _____ Address: _____

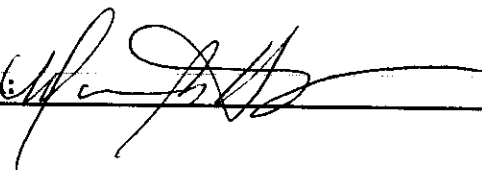
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U.S. Attorney Information:AUSA Maureen B. Hogan Bar Number if applicable _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be _____ ☐ No_____ ☐ Regular Process ☐ In Custody**Location Status:**

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District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Jose Antonio Cruz

U.S.C. Citations

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>18 U.S.C. § 846</u>	<u>Conspiracy to Distribute Cocaine</u>	<u>One</u>
Set 2 _____	_____	_____
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

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Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. II Investigating Agency DEACity Boston Related Case Information:County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Manuel E. Pinales Juvenile ☐ Yes ☒ No

Alias Name _____

Address 1828 River Street, Hyde Park, MABirth date (Year only): 63 SSN (last 4 #): 4818 Sex M Race: Hipsanic Nationality: Dominican

Defense Counsel if known: _____ Address: _____

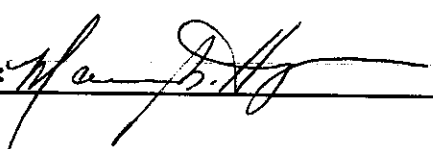
Bar Number: _____

U.S. Attorney Information:AUSA Maureen B. Hogan Bar Number if applicable _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be ☒ _____ ☐ No☐ _____ ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date: _____

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JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Manuel E. Pinales

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 846</u>	<u>Conspiracy to Distribute Cocaine</u>	<u>One</u>
Set 2	<u>18 U.S.C. § 841</u>	<u>Distribution of Cocaine</u>	<u>Two and Four</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: